

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

In re: HERBERT WILLIAMS JR.

Debtor,

Case No. 21-10825-KHK

(Chapter 13)

UNIT OWNERS ASSOCIATION OF
HARBOR POINT EAST CONDOMINIUM
AT BELMONT BAY

Movant,

v.

HERBERT WILIAMS JR.

Respondents.

THOMAS P. GORMAN,

Trustee.

PROPOSED
ORDER GRANTING RELIEF FROM THE AUTOMATIC STAY

Upon consideration of the Motion of Unit Owners Association of Harbor Point East Condominium at Belmont Bay ("Movant") for relief from the automatic stay, the Court finds that:

- 1) All notices in this matter are proper.
- 2) The Debtor has engaged in a scheme of abusive bankruptcy filings to impermissibly hinder and delay his creditors from exercising their rights with respect to collateral securing obligations to them.

It is therefore,

Erik W. Fox, Esq.
Rees Broome, PC
1900 Gallows Road, Suite 700
Tysons Corner, VA 22182
703-790-1911
Counsel for Movant

EXHIBIT

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ORDRED, that Unit Owners Association of Harbor Point East Condominium at Belmont Bay is granted relief from the automatic stay to collect any unpaid post-petition assessments, attorneys' fees, and costs. It is further,

ORDRED, that Unit Owners Association of Harbor Point East Condominium at Belmont Bay is granted relief from the automatic stay and may record liens, foreclose, and do such other acts necessary to obtain possession of 440 Belmont Bay Drive, #317, Woodbridge, VA 22192 (the "Property"), and more particularly described as:

Condominium Unit 317, HARBOR POINT EAST AT BELMONT BAY, A Condominium, and the limited common elements appurtenant thereto, including Common Element Parking Space(s), P-6 and P-7 and Common Element Storage 25 and 3D, established by condominium instruments recorded on June 2, 2004 as Instrument No. 200406020092344, with plat recorded as Instrument Number 200406020092345, and any supplemental declarations and/or amendments recorded subsequent thereto, among the land records of Prince William County, Virginia.

AND BEING the same property conveyed to Herbert Williams, Jr. and Garyle Elizabeth Carley, by virtue of a Deed dated 05/19/2010 and recorded as Instrument No. 201006070048073 among the Land Records of Prince William County, Virginia.

Such relief shall extend to Unit Owners Association of Harbor Point East Condominium at Belmont Bay's successors and assigns. It is further,

ORDERED, that the relief granted herein shall be *In Rem*, and any subsequent filing by the Debtor or any other person or entity that may now or hereafter claim an interest in the Property will not create any automatic stay(s) as to the Property, and shall be ineffective as to the Movant, and its assigns and/or successors in interest for a period of two (2) years.

DONE at Alexandria, Virginia

Date

Klinette H. Kindred
United States Bankruptcy Judge

I ASK FOR THIS:

/s/Erik W. Fox
Erik W. Fox
Counsel for Movant

Seen and _____

Ashley Frances-May Morgan
Attorney for Debtor

Seen:

Thomas P. Gorman, Trustee

Copies to:

Ashley Frances-May Morgan
Ashley F. Morgan Law, PC
722 Grant Street, Ste. G.
Herndon, VA 20170
Counsel for Debtor

Thomas P. Gorman
300 N. Washington St. Ste. 400
Alexandria, VA 22314
Trustee

Erik W. Fox
1900 Gallows Road, Suite 700
Tysons Corner, VA 22182

CERTIFICATE

I hereby certify that a true copy of the foregoing proposed Order Granting Relief from the Automatic stay was served via First Class Mail or ECF this 2nd day of June 2021 to:

Ashley Frances-May Morgan
Ashley F. Morgan Law, PC
722 Grant Street, Ste. G.
Herndon, VA 20170
Counsel for Debtor

Herbert Williams, Jr
440 Belmont Bay Dr #317
Woodbridge, VA 22191-5453
Debtor

Thomas P. Gorman
300 N. Washington St. Ste. 400
Alexandria, VA 22314
Trustee

/s/Erik W. Fox

Erik W. Fox

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